INGLE BENCH

(3)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR

CHHATTISGARH

W.P. NO. 3546 /2005

PETITIONERS :1. Malik, S/o. Domra Marar
Aged about 50 years

2. Salik, S/o. Domra Marar
Aged about 40 years

Both R/o. Village Gangchuwa
Tahsil & District - Kawardha
(C.G.)

VERSUS

RESPONDENTS : 1. Milau Marar, S/o. Baisakhu Marar, aged about 65 years
R/o. Gangchuwa, Tahsil &
District Kawardha (C.G.)

2. Ramdas, S/o. Sukhiram Marar-
Aged about 50 years
R/o. Vill. Kaodar, Tahsil &
Dist. Kawardha (C.G.)

3. Jubaida Begum,
W/o. Shekh Abbdul Shafi
R/o. Kawardha, Tah. & Dist.
Kawardha (C.G.)

4. Abbdual Rafik, S/o. A.Suman
Aged about 21 years

5. A. Habib, S/o. A. Suman
Aged about 19 years

Both 4& 5 R/o. Renga-Khar-Khurd
Tahsil & District Kawardha (C.G.)

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6. A. Mujib S/o. Suman
   Minor, through guardian father
   A.Suman, S/o. A. Rahim
   R/o. Renga-khar-khurd, Tah.
   & Dist. Kawardha (C.G.)
7. Ashok Kumar,
   S/o. Durga Prasad,
   aged 42 years, R/o. Kawardha
   Tah. & Dist. Kawardha (C.G.)
8. State of Chhattisgarh
   Through : Collector
   Kawardha (C.G.)

WRIT PETITION UNDER ARTICLE 227 OF CONSTITUTION OF INDIA

(96)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P.3546/ सन् 2005

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	5-8-2005 Mr. Sudhir Verma, counsel for the petitioners. Mr. Sandeep Dubey, Govt. Advocate for the State/respondent No.8. Heard both the counsel on admission. The petitioners have preferred this writ petition under Article 227 of the Constitution of India, questioning the legality, propriety and correctness of the judgment dated 6-7-2005 passed by the Additional District Judge (F.T.C.), Kabirdham (Kawardha) in Miscellaneous Civil Appeal No.17/2002, whereby the learned Additional District Judge allowing the miscellaneous civil appeal set aside the order of trial Court dismissing the application of the respondents for restoration of the suit. I have perused the order of trial Court as well as the judgment of appellate Court. The case of respondent No.1/plaintiff was that on the fateful day he was sick and receiving treatment in Mission Hospital, therefore, he was not able to come. The appellate Court has considered all the aspects and passed the impugned judgment. I do not find any illegality and infirmity in the impugned judgment. The writ petition is therefore, liable to be dismissed, and it is accordingly, dismissed, at the admission stage itself. Consequently, M.(W.)P.No.2984/2005 and I.A.No.6693/2005 stand disposed of. **Sd/-** **L.C. Bhadoo** **Judge**	

Soma

(पीछे देखिये)